

Exhibit A

From: Veronica Canizales <vcanizales@fnlawfirm.com>
Sent: Monday, September 25, 2017 12:39 PM
To: Richard North; Maria Turner; Matthew Lerner
Cc: Arati Furness; Matthew McCarley
Subject: Crawford et al. v. C.R. Bard Incorporated et al., Case No. 2:17-cv-03305
Attachments: Crawford, Shirley - 170925 Request for Waiver.pdf; Crawford, Shirley - 170925 Short Form Complaint FILE STAMPED.pdf; Crawford, Shirley - 170925 Waiver.pdf

Dear Counsel,

Please see the attached file stamped complaint and request for waiver for Plaintiffs Shirley Crawford and George Crawford.

Thank you.

Sincerely,



Connect with us!



Confidentiality Notice: The information contained in this email message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error please notify us immediately by telephone and return the original message to us by mail. Thank you.

UNITED STATES DISTRICT COURT
for the
District of Arizona

Shirley Crawford et al. _____)
Plaintiff _____)
v. _____) Civil Action No. 2:17-cv-03305
C.R. Bard, Inc. et al. _____)
Defendant _____)

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: C.R. Bard, Inc. and Bard Peripheral Vascular, Inc.

(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above.
A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within 30 days (*give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States*) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: 09/25/2017

/s/ Matthew R. McCarley

Signature of the attorney or unrepresented party

Matthew R. McCarley

Printed name

Fears | Nachawati PLLC
4925 Greenville Ave, Suite 715
Dallas, Texas 75206

Address

mccarley@fnlawfirm.com

E-mail address

(214) 890-0711

Telephone number

UNITED STATES DISTRICT COURT
for the
District of Arizona

Shirley Crawford et al. _____)
Plaintiff _____)
v. _____) Civil Action No. 2:17-cv-03305
C.R. Bard Inc. et al. _____)
Defendant _____)

WAIVER OF THE SERVICE OF SUMMONS

To: Matthew R. McCarley
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/25/2017, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: _____

Signature of the attorney or unrepresented party

C.R. Bard Inc and Bard Peripheral Vascular, Inc.

Printed name of party waiving service of summons

Printed name

E-mail address

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Shirley Crawford

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

George Crawford, Jr.

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

-

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant: OH

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury: OH

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

OH

7. District Court and Division in which venue would be proper absent direct filing:

Ohio Southern District Court

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

Recovery[®] Vena Cava Filter

G2[®] Vena Cava Filter

G2[®] Express Vena Cava Filter

G2[®] X Vena Cava Filter

Eclipse[®] Vena Cava Filter

Meridian[®] Vena Cava Filter

Denali® Vena Cava Filter

Other: _____

11. Date of Implantation as to each product:

11/16/2010

12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect
- Count II: Strict Products Liability – Information Defect
(Failure to Warn)
- Count III: Strict Products Liability – Design Defect
- Count IV: Negligence - Design
- Count V: Negligence - Manufacture
- Count VI: Negligence – Failure to Recall/Retrofit
- Count VII: Negligence – Failure to Warn
- Count VIII: Negligent Misrepresentation
- Count IX: Negligence *Per Se*
- Count X: Breach of Express Warranty
- Count XI: Breach of Implied Warranty
- Count XII: Fraudulent Misrepresentation
- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable OH (insert state) Law
Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count XVI: Wrongful Death

- Count XVII: Survival
 Punitive Damages
 Other(s): _____ (please state the facts supporting this Count in the space immediately below)
-
-
-

RESPECTFULLY SUBMITTED this 25th day of September, 2017.

/s/ MATTHEW R. MCCARLEY
Matthew R. McCarley
Texas Bar No. 24041426
mccarley@fnlawfirm.com

FEARS NACHAWATI, PLLC
4925 Greenville Avenue, Suite 715
Dallas, Texas 75206
Tel. (214) 890-0711
Fax (214) 890-0712

ATTORNEY FOR THE PLAINTIFF

I hereby certify that on this 25th day of September, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ MATTHEW R. MCCARLEY

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s): Shirley Gail Crawford

Defendant(s): Bard Peripheral Vascular, Inc ; C.R. Bard Inc

County of Residence: Outside the State of Arizona

County of Residence: Maricopa

County Where Claim For Relief Arose: Outside the State of Arizona

Plaintiff's Atty(s):

Matthew R McCarley
Feras Nachawati PLLC
4925 Greenville Ave, Suite 715
Dallas, Arizona 75206
214-890-0911

Defendant's Atty(s):

II. Basis of Jurisdiction: 4. Diversity (complete item III)

III. Citizenship of Principal Parties (Diversity Cases Only)

Plaintiff:- 2 Citizen of Another State
Defendant:- 4 AZ corp or Principal place of Bus. in AZ

IV. Origin : 6. Multidistrict Litigation

V. Nature of Suit: 367 Health Care/Pharmaceutical Personal Injury Product Liability

VI.Cause of Action: 28 U.S.C. Section 1332 In re BARD IVC Filters Products Liability Case

VII. Requested in Complaint

Class Action: No

Dollar Demand:

Jury Demand: Yes

VIII. This case IS RELATED to Case Number MDL 2641 assigned to Judge David G. Campbell.

Signatur e: Matthew R. McCarley

Date: 9/25/2017

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the Back button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.

Revised: 01/2014